



Department of Justice

United States Attorney David L. Huber
Western District of Kentucky

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CONTACT: SANDY FOCKEN
PHONE: (502) 582-5911
FAX: (502) 582-5097

BARGE COMPANY AND KEY EMPLOYEES INDICTED FOR BENZINE LEAK

BOWLING GREEN, KY - A federal grand jury in Bowling Green returned an indictment against Canal Barge Company, Inc., Belle Chasse, LA, Paul D. Barnes, age 50, of Belle Chasse, LA, Jeffrey A. Scarborough, age 49, of Mendenhall, MS, and Randolph Martin, age 53, of Atmore, AL. The defendants were indicted on criminal violations of the Ports and Waterway Safety Act, 33 U.S.C. §1232; the Clean Water Act, 33 U.S.C. §1311 and 1319; and Conspiracy, 18 U.S.C. §371.

The Indictment alleges that on or about June 16, 2005, on the Ohio River in Henderson County, Kentucky, and elsewhere, Canal Barge Company (CBC) experienced a benzene leak on CBC Barge 222 and did not report the leak (or hazardous condition) to the United States Coast Guard as required by law. The Indictment alleges that the defendants concealed the leak, patched it and passed the barge to another barge company for transit on the Ohio River without informing them of the leak. Later, on or about June 20, 2005, the patch did not hold, causing another leak, which caused persons on the vessel owned by the second company to seek medical attention.

In the event of conviction, the maximum potential penalties, for Barnes, Scarborough and Martin, are 12 years imprisonment, a \$600,000 fine, and supervised release for a period of 3 years. The maximum penalty for Canal Barge Company, Inc., a \$1,200,000 fine.

The case is being prosecuted by Assistant United States Attorney Madison T. Sewell and

Randy Ream and U.S. Department of Justice, Environmental Crimes Section Attorney Jennifer Whitfield, and it was investigated by the Environmental Protection Agency and the United States Coast Guard.

All of the defendants are scheduled to appear for arraignment before the United States Magistrate Judge on June 21, 2007, at 10:00 a.m., in Owensboro, Kentucky.

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The indictment of a person by a Grand Jury is an accusation only and that person is presumed innocent until and unless proven guilty.

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